

JS 44 (Rev. 12/07)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Johnny Evans Marks  
1817 Pemberton Street,

(b) County of Residence of First Listed Plaintiff Philadelphia  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Law Office of Stewart C. Crawford & Associates  
Stewart C. Crawford, Jr, Esq

## DEFENDANTS

Philadelphia Industrial Correctional Center

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Craig Straw, Chief Deputy City Solicitor  
1515 Arch Street, 14th Floor, Phila. PA, 19102

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                        |   | PTF                        | DEF                        |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

## V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding  
☒ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. § 1441

Brief description of cause:

This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

## DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/09/2014

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHNNY EVANS MARKS**  
as administrator of the estate of  
**TROY EVANS MARKS, deceased**  
1817 Pemberton Street  
Philadelphia, PA 19146

**Plaintiff,**

**VS.**

**PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER  
8301 State Road  
Philadelphia, PA 19136**

**Defendant.**

No. \_\_\_\_\_

**Formerly,  
Court of Common Pleas  
Philadelphia County  
No. 131002506**

## NOTICE OF REMOVAL

**To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.**

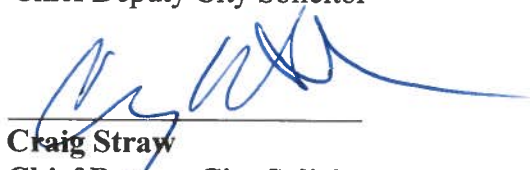
Pursuant to 28 U.S.C. § 1441, defendants, Philadelphia Industrial Correctional Center, (hereinafter “petitioner”) through its counsel, Craig Straw, Chief Deputy City Solicitor, respectfully petition for the removal of this action to the United States District Court for the Eastern District of Pennsylvania. In support thereof, defendant states the following:

1. In October, 2013, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, October Term, 2013; No. 2506 (Exhibit A - Complaint).
2. On August 26, 2014 said Complaint was served on Petitioner at 8301 State Road, Philadelphia, Pennsylvania.
3. Plaintiff alleges that on or about October 26, 2011 they sustained damages when their civil rights were violated by the defendant. (Exhibit A ).
4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A)

**Wherefore**, petitioner, Philadelphia Industrial Correctional Center, respectfully request that the captioned Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Craig M. Straw  
Chief Deputy City Solicitor



---

**Craig Straw**  
**Chief Deputy City Solicitor**  
**Attorney I.D. No. 78121**  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
215-683-5442

Date: 9-9-14

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

---

**JOHNNY EVANS MARKS**  
as administrator of the estate of  
**TROY EVANS MARKS, deceased**  
1817 Pemberton Street  
Philadelphia, PA 19146

Plaintiff,

vs.

**PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER**  
8301 State Road  
Philadelphia, PA 19136

Defendant.

No. \_\_\_\_\_

Formerly,  
Court of Common Pleas  
Philadelphia County  
No. 131002506


---

**NOTICE OF FILING OF REMOVAL**

TO: Stewart C. Crawford, Jr, Esquire  
223 North Monroe Street  
Media, PA 19063

PLEASE TAKE NOTICE THAT on September 9, 2014, defendant filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(e).

  
\_\_\_\_\_  
**Craig Straw**  
Chief Deputy City Solicitor  
Attorney I.D. No. 78212  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
215-683-5442

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHNNY EVANS MARKS**  
as administrator of the estate of  
**TROY EVANS MARKS, deceased**  
1817 Pemberton Street  
Philadelphia, PA 19146

Plaintiff,

vs.

**PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER**  
8301 State Road  
Philadelphia, PA 19136

Defendant.


No. \_\_\_\_\_

Formerly,  
Court of Common Pleas  
Philadelphia County  
No. 131002506

**CERTIFICATE OF SERVICE**

I, Craig Straw, Chief Deputy City Solicitor, do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid, on the date indicated below:

TO: Stewart C. Crawford, Jr., Esquire  
The Lawe Office of Stewart C.Crawford & Associates  
223 North Monroe Street  
Media, PA 19063

  
Craig Straw  
Chief Deputy City Solicitor  
Attorney ID No. 78212  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
215-683-5442

Date: 9-9-14

## Exhibit “A”

THE LAW OFFICES OF STEWART C. CRAWFORD & ASSOCIATES

By: Stewart C. Crawford, Jr., Esquire

Attorney Id. No.: 202188

223 North Monroe Street

Media, Pa 19063

Telephone: (877)-992-6311

Web: [www.subrolaw.us](http://www.subrolaw.us)

E-Mail: [scrawfordjr@subrolaw.us](mailto:scrawfordjr@subrolaw.us)

Firm File No.H13-0055

*Attorney for Plaintiff*

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

JOHNNY EVANS MARKS,  
as administrator of the estate of  
TROY EVANS MARKS, deceased  
1817 Pemberton Street  
Philadelphia PA 19146

Plaintiff,

vs.

PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER  
8301 State Road  
Philadelphia, PA 19136

Defendant.

IN CIVIL ACTION NO.  
131002506

JURY TRIAL DEMANDED

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are further warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma sus defensas o sus objeciones a las demandas en contra de su persona. Se avisado que si usted no se defiende la corte tomara modidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiera que usted cumpla con todas las provisions de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTA AVISO A UN ABOGADO ENESEQUIDA. SI USTED NO TIENE UN ABOGADO Y NO PUEDE PAGAR LOS SERVICIOS DE UN ABOGADO, DEBE COMUNICARSE CON LA SIGUIENTE OFICINA PARA AVERIGUAR DONDE PUEDE OBTENER AYUDA LEGAL.

**Lawyers' Referral Service  
Front and Lemon Streets  
Media, PA 19063  
(610) 566-6625**

RECEIVED

AUG 26 2014

WARDEN'S OFFICE  
P.I.C.C.

THE LAW OFFICES OF STEWART C. CRAWFORD & ASSOCIATES  
doing business as CRAWFORD LAW  
By: Stewart C. Crawford, Jr., Esquire  
Attorney Id. No.: 202188  
223 North Monroe Street  
Media, Pa 19063  
Telephone: (877)-992-6311  
Web: [www.subrolaw.us](http://www.subrolaw.us)  
E-Mail: [www.crawfordlaw.org](http://www.crawfordlaw.org)  
Firm File No.H13-0055

Attorney for Plaintiff, John Marks, as Administrator of the Estate of Troy Marks

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY,  
PENNSYLVANIA

CIVIL ACTION-LAW

JOHNNY EVANS MARKS,

as administrator of the estate of  
TROY EVANS MARKS, deceased  
1817 Pemberton Street  
Philadelphia, PA 19146

Plaintiff,

vs.

PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER  
8301 State Road  
Philadelphia, PA 19136

Defendant.

IN CIVIL ACTION NO.  
131002506

JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff, Johnny Evans Marks, as administrator of the estate of Troy Evans Marks, deceased (the "Estate") by and through its undersigned attorney, hereby alleges and states as follows:

**THE PARTIES**



1. Plaintiff, Johnny Evans Marks, as administrator of the estate of Troy Evans Marks, deceased (the "Estate") is an adult individual, residing at the above address. Officer Marek is employed by the defendant as a corrections officer and brother of the deceased.

2. Upon information and belief, defendant, Philadelphia Industrial Correctional Center (the "Prison"), is a political entity (and/or agent of the Federal, State, and Local government) authorized to transact business in the Commonwealth of Pennsylvania. At all times hereto, defendant was acting under the color of law.

**FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

3. On or about October 26, 2011, Troy Evans Marks ("Troy Marks"), was found deceased in his cell.

4. At the time of his death, Troy Marks was an inmate of the prison, remanded to their care custody and control. This included medical care.

5. Upon information and belief, Troy Marks slowly bled to death over an extended period of time (at least several hours).

6. Troy Marks suffered from several ailments, known to the prison. Those ailments required special care and included HIV, Hepatitis, hypertension, and significant mental health concerns.

7. Notwithstanding these medical needs, Troy Marks was housed in a general population cell rather than in a medical ward (or special facility) where he would have received the needed medical supervision.

8. The circumstances of the death reflect that Troy Marks did not received the appropriate care custody and control with respect to his known medical conditions; had the prison acted properly, medical attention could have prevented his death.

9. It is also believed that the guards assigned to watch Troy Marks (in his general population cell) were inattentive to the fact that he was bleeding to death slowly over time and/or ignored calls for help by inmates.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

**COUNT I- CONSTITUTIONAL VIOLATIONS**  
(Plaintiff vs. Defendant Prison)

10. Plaintiff repeats and re-alleges all of the foregoing paragraphs as well as all of the following paragraphs, as if they were set forth herein at length.

11. The Prison wrongfully violated Troy Marks' right to be free from cruel and unusual punishment and/or violated his due process rights under the Pennsylvania Constitution and under the Federal Constitution including the 8<sup>th</sup> Amendment and the 14<sup>th</sup> Amendment.

12. As a result of those violations, Plaintiff has suffered damages

13. The Prison is liable for those damages.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

**COUNT II- NEGLIGENCE**  
(Plaintiff vs. Defendant Prison)

14. Plaintiff repeats and re-alleges all of the foregoing paragraphs as well as all of the following paragraphs, as if they were set forth herein at length.

15. The Prison had a duty to protect Troy Marks from the type of harm he sustained. This included a duty of supervision, care, custody, and control.

16. The prison breached various duties resulting in harm to Troy Marks

17. The prison is liable for those damages.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

**COUNT III- EMOTIONAL DISTRESS**  
(Plaintiff vs. Defendant Prison)

18. Plaintiff repeats and re-alleges all of the foregoing paragraphs as well as all of the following paragraphs, as if they were set forth herein at length.

19. As a result of the neglect, and the nature of the death (i.e. the slow death), Troy Marks and Plaintiff have suffered injury in the form of emotional distress.

20. The prison is liable for those injuries.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

**COUNT IV- WRONGFUL DEATH**  
(Plaintiff vs. Defendant Prison)

21. Plaintiff repeats and re-alleges all of the foregoing paragraphs as well as all of the following paragraphs, as if they were set forth herein at length.

22. As a result of the actions of the defendant, Plaintiff has become deceased and incurred consequently certain expenses

23. The prison is liable for those injuries pursuant top 42 *Pa.C.S* § 8301.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

**COUNT V- SURVIVAL**  
(Plaintiff vs. Defendant Prison)

21. Plaintiff repeats and re-alleges all of the foregoing paragraphs as well as all of the following paragraphs, as if they were set forth herein at length.

22. As a result of the actions of the defendant, Plaintiff has become deceased and incurred consequently certain expenses

23. The prison is liable for those injuries pursuant top 42 *Pa.C.S* § 8302.

WHEREFORE, Plaintiff demands judgment on behalf of the estate and heirs in excess of \$50,000, for the aforementioned damages, in addition to interest from the date of the loss, the costs of this lawsuit, certain administrative costs, statutory attorney fees, statutory liquidated damages, and whatever additional relief the Court may deem proper.

By: \_\_\_\_/s/ Stewart Crawford\_\_\_\_\_  
Stewart C. Crawford, Jr., Esquire

*Attorney for Plaintiff*

Date: August 22, 2014

**VERIFICATION**

I declare under penalty of perjury that the foregoing is true and correct and understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities. I affirm that I am a duly authorized legal representative of Plaintiff

By: \_\_\_\_/s/s Stewart Crawford\_\_\_\_\_  
Stewart Crawford

Dated: Date: August 22, 2014

Firm File No.: H13-0055  
THE LAW OFFICES OF STEWART C. CRAWFORD & ASSOCIATES  
By: Stewart C. Crawford, Sr., Esquire  
Attorney Id. No.: 09827  
223 North Monroe Street  
Media, Pa 19063  
Telephone: (877)-992-6311, ext. 21  
Web: [www.subrolaw.us](http://www.subrolaw.us)  
E-Mail: [sccrawford@subrolaw.us](mailto:sccrawford@subrolaw.us)

*Attorney for Plaintiff*

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**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW**

JOHNNY EVANS MARKS	:	IN CIVIL LAW
as administrator of the estate of	:	
TROY EVANS MARKS, deceased	:	
1817 Pemberton Street	:	
Philadelphia PA 19146	:	NO.: 131002506
	:	
v.	:	
	:	
PHILADELPHIA INDUSTRIAL	:	
CORRECTIONAL CENTER	:	
8301 State Road	:	
Philadelphia PA 19136	:	

**CERTIFICATE OF SERVICE**

I, Stewart C. Crawford, Esquire, Attorney for Plaintiff, hereby certify that a true and correct copy of the attached Complaint was served by certified mail on August 22, 2014 upon the defendant at the address set forth below.

Philadelphia Industrial  
Correctional Center  
8301 State Road  
Philadelphia, PA 19136

\_\_\_\_/s/ Stewart Crawford\_\_\_\_\_  
Stewart C. Crawford, Esquire  
Attorney for Plaintiff

Dated: August 22, 2014

## UNITED STATES DISTRICT COURT

**FOR THE EASTERN DISTRICT OF PENNSYLVANIA – DESIGNATION FORM** to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1817 Pemberton Street, Philadelphia, PA 19146

Address of Defendant: City of Philadelphia Law Department, 1515 Arch Street, 14<sup>th</sup> Floor, Philadelphia, PA 19102

Place of Accident, Incident or Transaction: Philadelphia, PA  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?  
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)). Yes ☐ No ☐

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☐  
*RELATED CASE IF ANY:*

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☐

CIVIL: (Place in ONE CATEGORY ONLY)

**A. Federal Question Cases:**

1. ☐ Indemnity Contract, Marine Contract, and All
2. ☐ FELA
3. ☐ Jones Act – Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All Other Federal Questions Cases (Please specify)

**B. Diversity Jurisdiction Cases:**

- Other Contracts 1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
  3. ☐ Assault, Defamation
  4. ☐ Marine Personal Injury
  5. ☐ Motor Vehicle personal Injury
  6. ☐ Other Personal Injury (Please specify)
  7. ☐ Products Liability
  8. ☐ Products liability - Asbestos
  9. ☐ All other Diversity Cases  
(Please specify)

**ARBITRATION CERTIFICATION**

(Check appropriate Category)

I, Craig Straw, counsel of record do hereby certify:

- ☐ Pursuant to Local Rule 53.3 A, civil rights cases are excluded from arbitration.
- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: \_\_\_\_\_

**Craig Straw, Esquire**  
Attorney-at-Law

78212

Attorney I.D. #

**NOTE:** A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: \_\_\_\_\_

**Craig Straw, Esquire**  
Attorney-at-Law

78212

Attorney I.D. #



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHNNY EVANS MARKS**  
as administrator of the estate of  
**TROY EVANS MARKS, deceased**  
1817 Pemberton Street  
Philadelphia, PA 19146

**Plaintiff,**

**vs.**

**PHILADELPHIA INDUSTRIAL  
CORRECTIONAL CENTER**  
8301 State Road  
Philadelphia, PA 19136

**Defendant.**

**No.** \_\_\_\_\_

**Formerly,  
Court of Common Pleas  
Philadelphia County  
No. 131002506**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through § 2255. ( )
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

Date

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